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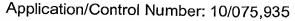


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_	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	10/075,935	02/14/2002	Kenji Furuya	70459	1700	
	75	01/09/2003				
		ID TUTTLE, P.C.		EXAMINER		
	SCARBOROUG SCARBOROUG	GH, NY 10510-0827		LE, DA	NG D	
				ART UNIT	PAPER NUMBER	
				2834		
				DATE MAIL ED: 01/09/2003	DATE MAILED: 01/09/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)	
Office Action Summary		10/075,935	FURUYA ET AL.	
		Examiner	Art Unit	
		Dang D Le	2834	
	The MAILING DATE of this communication	appears on the cover sheet with the	correspondence address	
A SHI THE I - Exter after - If the - If NO - Failu - Any r	ORTENED STATUTORY PERIOD FOR REF MAILING DATE OF THIS COMMUNICATION SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a period for reply is specified above, the maximum statutory perion to reply within the set or extended period for reply will, by state reply received by the Office later than three months after the may be adopted the manufacture of the ma	N. 1.136(a). In no event, however, may a reply be the teply within the statutory minimum of thirty (30) do do will apply and will expire SIX (6) MONTHS froutute, cause the application to become ABANDON	imely filed ays will be considered timely, in the mailing date of this communication. ED (35 U.S.C. § 133).	
1)	Responsive to communication(s) filed on _			
2a)□		This action is non-final.		
3)□	Since this application is in condition for allo closed in accordance with the practice und ion of Claims	wance except for formal matters, p		
4)🖾	Claim(s) 1-10 is/are pending in the applicat	ion.		
	4a) Of the above claim(s) is/are withd	rawn from consideration.		
5)[Claim(s) is/are allowed.			
6)	Claim(s) is/are rejected.			
7)	Claim(s) is/are objected to.			
8)🛛	Claim(s) 1-10 are subject to restriction and/o	or election requirement.		
pplicati	ion Papers			
9)[The specification is objected to by the Exami	iner.		
10) 🗌 .	The drawing(s) filed on is/are: a)□ ac	cepted or b) objected to by the Ex	aminer.	
	Applicant may not request that any objection to	the drawing(s) be held in abeyance.	See 37 CFR 1.85(a).	
11) 🔲 -	The proposed drawing correction filed on	is: a)□ approved b)□ disappi	roved by the Examiner.	
	If approved, corrected drawings are required in	reply to this Office action.		
12) 🗌 -	The oath or declaration is objected to by the	Examiner.		
riority ι	ınder 35 U.S.C. §§ 119 and 120			
13)	Acknowledgment is made of a claim for fore	eign priority under 35 U.S.C. § 1 19	(a)-(d) or (f).	
a)[☐ All b)☐ Some * c)☐ None of:			
	1. Certified copies of the priority docume	ents have been received.		
	2. Certified copies of the priority docume	ents have been received in Applica	tion No	
* 5	3. Copies of the certified copies of the p application from the International See the attached detailed Office action for a I	Bureau (PCT Rule 17.2(a)).		
	Acknowledgment is made of a claim for dome			
а) The translation of the foreign language Acknowledgment is made of a claim for dome	provisional application has been re	eceived.	
ttachmen	t(s)			
) 🔲 Notic	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449) Paper No(s	5) Notice of Informa	rry (PTO-413) Paper No(s) I Patent Application (PTO-152)	
		· — · · —		



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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-5, drawn to the apparatus of a rotor, classified in class 310, subclass 234.
 - II. Claims 6-10, drawn to the method of making a rotor, classified in class 29, subclass 598.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed can be practiced by hand.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Attorney John James McGlew, Reg. No. 31,903 on 1/6/03 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Jong L. le

DDL January 8, 2003

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